

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

DUSTIN MCPHETRIDGE,  
Petitioner,

VS.

REBECCA TAMEZ, Warden,  
FCI-Fort Worth,  
Respondent.

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CIVIL ACTION NO.4:10-CV-727-Y

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ORDER ADOPTING MAGISTRATE JUDGE'S FINDINGS AND CONCLUSIONS

Before the Court is the petition for writ of habeas corpus under 28 U.S.C. § 2241 of petitioner Dustin McPhetridge, along with the April 8, 2011, findings, conclusions, and recommendation of the United States magistrate judge. The magistrate judge gave the parties until April 29 to file written objections to the findings, conclusions, and recommendation. As of the date of this order, no written objections have been filed.<sup>1</sup>

The Court has reviewed the pleadings and the record in this case, and has reviewed for clear error the findings, conclusions and recommendation. The Court concludes that, for the reasons stated by the magistrate judge, the petition for writ of habeas corpus should be dismissed.

Therefore, the findings, conclusions and recommendation of the magistrate judge are ADOPTED.

Dustin McPhetridge's petition for writ of habeas corpus under 28 U.S.C. § 2241 is DISMISSED without prejudice for lack of

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<sup>1</sup>Petitioner McPhetridge sent a letter to the Court, received on April 19, 2011, in which he writes "I will file the appropriate administrative remedies to settle the problem," indicating his acceptance of the magistrate judge's recommendation.

exhaustion.

SIGNED May 16, 2011.

  
TERRY R. MEANS  
UNITED STATES DISTRICT JUDGE